TNA000144

ESD

Tennessee Department of Environment and Conservation,
Division of Water Pollution Control
401 Church Street, 6th Floor L & C Annex, Nashville, TN 37243
(615) 532-0625

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO)
STATE OPERATING PERMIT (SOP) APPLICATION

Type of permit you are requesting: ☐ SOPCD0000 (designed to discharge) ☒ SOPC00000 (no discharge) ☐ Unknown, please advise

Application type: ☐ New Permit ☒ Permit Reissuance ☐ Permit Modification

If this NOI is submitted for Permit Modification or Reissuance provide the existing permit tracking number: TNA000144

OPERATION IDENTIFICATION

Operation Name: A Fowl Place / Chick Inn	County: Moore / Franklin
Operation Location/ Physical Address: 6859 Tanyard Hill Rd / 7012 Tanyard Hill Rd Winchester TN 37398 / Winchester TN 37398	A Fowl Place - 35-13-39.5 N Chick Inn 35 13 22.76 N Latitude: A Fowl Place - 86 18 5.78 W Chick Inn - 86 18 21.07 W Longitude:
Name and distance to nearest receiving water(s): Tims Ford Lake 880 ft	
If any other State or Federal Water/Wastewater Permits have been obtained for this site, list those permit numbers:	

Animal Type: ☒ Poultry ☐ Swine ☐ Dairy ☐ Beef ☐ Other ____

Number of Animals: 111,000	Number of Barns: 213	Name of Integrator:

Type of Animal Waste Management: ☒ Dry ☐ Liquid ☐ Liquid, Closed System (i.e. covered tank, under barn pit, etc.)

Attach the NMP ☒ NMP Attached	Attach the closure plan ☒ Closure Plan Attached	Attach a topographic map ☒ Map Attached

PERMITTEE IDENTIFICATION

Official Contact (applicant): Marvin D Bedds	Title or Position: Owner			
Mailing Address: 6859 Tanyard Hill Rd	City: Winchester	State: TN	Zip: 37398	☒ Correspondence ☒ Invoice
Phone number(s): 931-967-8432 931-636-7026	E-mail: vbedds@monsterbroadband.com			
Optional Contact:	Title or Position:			
Address:	City:	State:	Zip:	☐ Correspondence ☐ Invoice
Phone number(s):	E-mail:			

APPLICATION CERTIFICATION AND SIGNATURE (must be signed in accordance with the requirements of Rule 1200-4-5-.05)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name and title; print or type	Signature	Date
Marvin D Bedds owner		2/9/2011

RECEIVED
FEB 18 2011
TN Division Of Water Pollution Control

STATE USE ONLY

Received Date	Reviewer	EFO	T & E Aquatic Fauna	Tracking No.
	Impaired Receiving Stream	High Quality Water		NOC Date

SOPC 00077

MARVIN BETTS
A FOWL PLACE / CHICK INN

6859 Tanyard Hill
Winchester, TN 37398
Phone 931-967-8432
Fax 931-967-8432
Vbetts@monsterbroadband.com

February 9, 2011

Sam Marshall
Nonpoint Source Program
Tennessee Dept' of Agriculture
Ellington Agricultural Center
Nashville, TN 2-37204

Dear Sir,

Due to the upgrades that Tyson wants, which we are unable to meet. Our old conventional houses which comprise Chick Inn will be shut down in approximately one year. I would like to request that A Fowl Place be used as the primary farm to allow for this transition. Please keep in mind that both farms are operated and run by the same individual. Same work habits are used for all the houses. The only reason for different names on the farms is to facilitate the proper delivery of feed to the farms by Tyson.

Sincerely,

Marvin Betts

APPENDIX B

Agreement for the Removal of Litter, Manure and/or Process Wastewater from an AFO

The conditions listed below help to protect water quality. These conditions apply to litter, manure and/or process wastewater removed from an AFO. The material covered by this agreement was removed on (date) 1/14/2011 from the facility owned by Marvin Betts and located at 6859 Tanyard Hill Rd Winchester, TN 37398

A. The litter, manure and/or process wastewater must be managed to ensure there is no discharge of litter, manure and/or process wastewater to surface or groundwater.

B. When removed from the facility, litter, manure and/or process wastewater should be applied directly to the field or stockpiled and covered with plastic or stored in a building.

C. Litter, manure and/or process wastewater must not be stockpiled near streams, sinkholes, wetlands or wells.

D. Fields receiving litter, manure and/or process wastewater should be soil tested at least every two or three years.

E. A litter, manure and/or process wastewater nutrient analysis should be used to determine application rates for various crops.

F. Calibrate spreading equipment and apply litter, manure and/or process wastewater uniformly.

G. Apply no more nitrogen or phosphorus than can be used by the crop.

H. A buffer zone is recommended between the application sites and adjacent streams, lakes, ponds, sinkholes and wells.

I. Do not apply litter, manure and/or process wastewater when the ground is frozen, flooded, saturated or on steep slopes subject to flooding, erosion or rapid runoff.

J. Cover vehicles hauling litter, manure and/or process wastewater on public roads.

K. Keep records of locations where poultry litter will be used as a fertilizer.

I, Larry Smith (name) am the person receiving litter, manure, and/or process wastewater and do understand the conditions listed above.

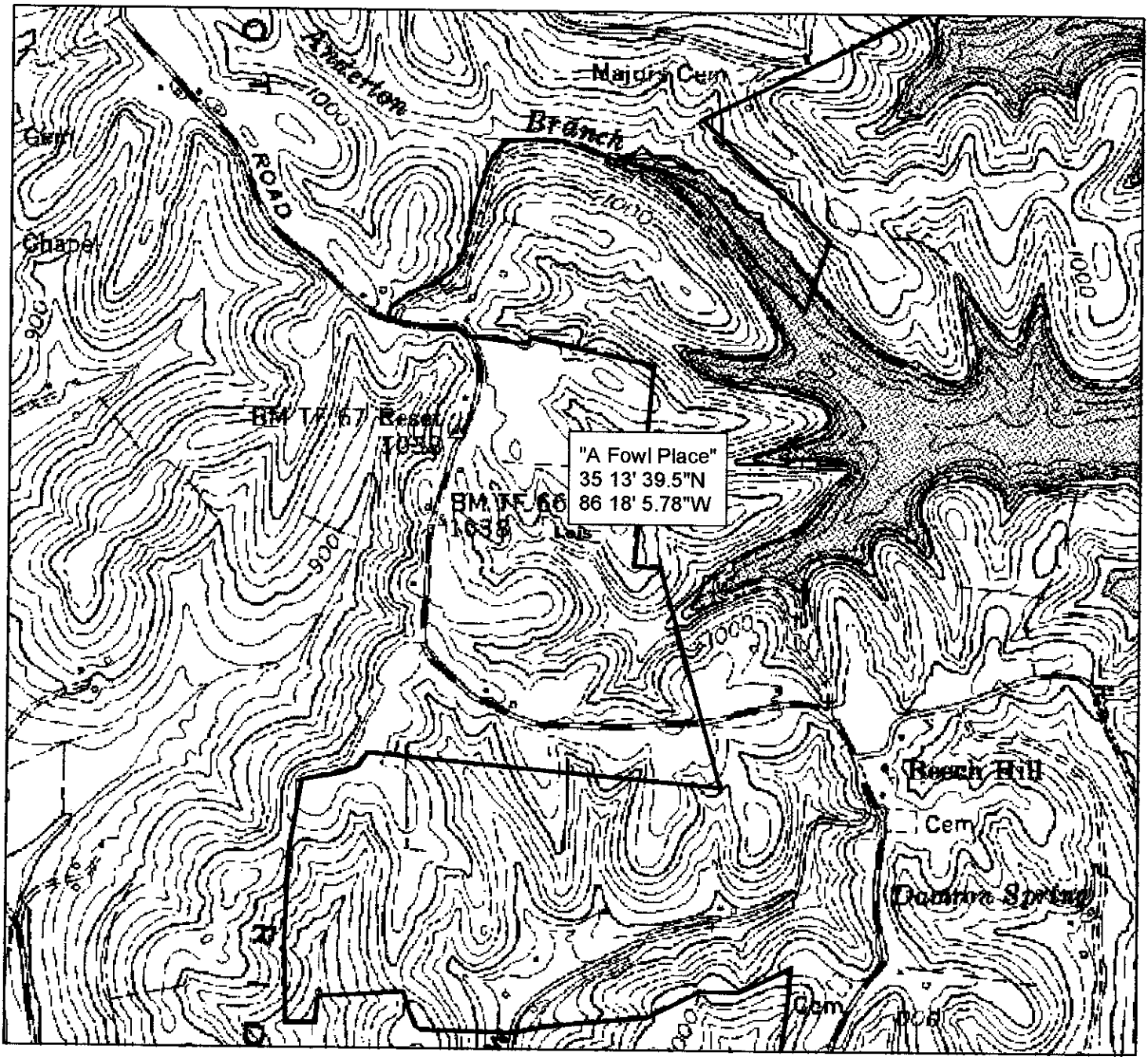
Larry Smith (signature) — 2/11/2011 (date)

5711 Lynchburg Rd (address) — 931-308-3240 (phone)

Winchester, TN 37398

Customer(s): MARVIN D BETTS
District: MOORE COUNTY SOIL CONSERVATION DISTRICT

Field Office: LYNCHBURG PROGRAM DELIVER
Agency: NRCS
Assisted By: Ladonna Rae Caldwell



RECEIVED
FEB 18 2011
TN Division Of Water
Pollution Control

Legend

Consplan1
County Boundary
Topo Boundaries

660 0 660 1,320 1,980 2,640
Feet

N

Customer(s): MARVIN D BETTS
District: MOORE COUNTY SOIL CONSERVATION DISTRICT

Field Office: LYNCHBURG PROGRAM DELIVER
Agency: NRCS
Assisted By: Ladonna Rae Caldwell

Legend

Consplan1
County Boundary
Topo Boundaries

270 0 270 540 810 1,080
Feet

N

MARVIN BETTS
A FOWL PLACE / CHICK INN

6859 Tanyard Hill
Winchester, TN 37398
Phone 931-967-8432
Fax 931-967-8432
Vbetts@monsterbroadband.com

February 8, 2011

Sam Marshall
Nonpoint Source Program
Tennessee Dept' of Agriculture
Ellington Agricultural Center
Nashville, TN 2-37204

Nutrient Budget

For all chicken houses, all chicken litter is removed from the above address by a second party. No chicken litter is held for more than two months at this location. We have two chicken litter storage pole barns that are used for this purpose.

General information: Our 400ft house will produce about 150 tons of litter in one year. Our 300ft houses will produce about 110 tons of litter each every year. Our 500ft houses will produce about 200 tons of litter each every year. As noted before, no chicken litter is spread on our farm, it is removed.

Sincerely,

Marvin Betts

MARVIN BETTS
A FOWL PLACE / CHICK INN

6859 Tanyard Hill
Winchester, TN 37398
Phone 931-967-8432
Fax 931-967-8432
Vbetts@monsterbroadband.com

February 9, 2011

RECEIVED
FEB 18 2011
TN Division Of Water
Pollution Control

Sam Marshall
Nonpoint Source Program
Tennessee Dept' of Agriculture
Ellington Agricultural Center
Nashville, TN 2-37204

Closure Plan

If and when we decide to close our chicken houses down, or to cease operation as a broiler house, we will compost all dead birds. We will remove all chicken litter from all the houses and dispose of litter according to the laws and regulations of disposal. Our disposal system now is all chicken litter is removed from the property by a second party.

Sincerely,

Marvin Betts

MARVIN BETTS
A FOWL PLACE / CHICK INN

6859 Tanyard Hill
Winchester, TN 37398
Phone 931-967-8432
Fax 931-967-8432
Vbetts@monsterbroadband.com

February 9, 2011

Sam Marshall
Nonpoint Source Program
Tennessee Dept' of Agriculture
Ellington Agricultural Center
Nashville, TN 2-37204

Dead Bird Disposal

We use compost bins and propane incinerators to dispose of all the dead birds. The bins are rotated and turned regularly to insure proper composting.

Sincerely,

Marvin Betts

poultryscience.uark.edu

CEPS Central Analytical Laboratory
University of Arkansas
Poultry Science Center L-209
Fayetteville, AR 72701
479-575-6532

Report Date: 1/13/2010
Report No: 112411

Investigator	Marvin Betts
Institution	
Department	
Address	6859 Tanyard Hill Rd; Winchester, TN 37398
Customer#	083074
Phone#	931-967-8432
Report Description	NPK of Poultry Litter

CAL Sample ID: 112411-112412

Sample ID	N lbs/ton	P lbs/ton	K lbs/ton
A Fowl Place	81.0	20.6	49.2
Chick Inn	95.8	21.3	48.5

Sample was analyzed on an *as-is* basis.

Report Approved: Linda K Kirby 1-13-11
Linda K. Kirby Date

Closure Plan

In the event that broiler production at this location ceases, the following will be done within 360 days:

- Any litter/compost currently in storage at the time of closure will be removed and spread on the farm or spread elsewhere according to my Nutrient Management Plan.
- All litter in houses will be removed and spread on the farm or spread elsewhere according to my Nutrient Management Plan.
- The most current litter analysis will be provided to anyone removing litter from the farm.
- Any dead birds in the houses at the time of closure will be composted.

Date: 4/11/2011

Addendum to Nutrient Management Plan:

By my signature below, I affirm that I have read, understand, and will comply with the following stipulations from Tennessee's CAFO rule (1200-4-5-.14) that apply to my CAFO operation.

1) All clean water (including rainfall) is diverted, as appropriate, from the production area.
2) All animals in confinement are prevented from coming in direct contact with waters of the state.
3) All chemicals and other contaminants handled on-site are not disposed of in any manure, litter, process wastewater, or storm water storage or treatment system unless specifically designed to treat such chemicals and other contaminants.
4) All sampling of soil and manure/litter is conducted according to protocols developed by UT Extension.
5) All records outlined in 1200-4-5-.14(16)d-f will be maintained and available on-site.
6) Any confinement buildings, waste/wastewater handling or treatment systems, lagoons, holding ponds, and any other agricultural waste containment/treatment structures constructed after April 13, 2006 are or will be located in accordance with NRCS Conservation Practice Standard 313.
7) Drystacks of manure or stockpiles of litter are always kept covered under roof or tarps.
8) An *Annual Report* will be written for my operation and submitted between January 1 and February 15 of each year. It will include all information required by rule [1200-4-5-.14(16)g].

Signature of CAFO Operator: _____

Date: 4/10/2011

The maximum number of chickens placed in all 5 houses per growout is 111,000.

Marvin Betts

N ient Management Plan - Po ry

For Use by Farms

Exporting 100% of Litter Generated

1. Farmer/ Producer Information

Is **ALL** Litter Hauled Offsite*

**If the answer is "No," do not complete this form.*

Yes	No
(Yes)	

Please circle one

First Name: Marvin

Last Name: Betts

Farm/ Operation Name: A Fowl Place / Chick Inn

Tennessee County: Moore / Franklin

2. Volumes and Calculations

Poultry Type:

(Broiler)	Pullet	Layer

circle the type(s)

Key

A **Number of birds per house per grow-out:** SEE Attachment A

B **Number of Houses:** 5

The amount of litter removed from a poultry house will vary depending on the litter moisture content, type and size of birds, and length of time birds are kept in house. Below is a Table summarized from the NRCS Poultry System Calculator V10.0 to assist in placing the litter amount produced per bird and assist in litter calculations.

C **Number of Grow-Outs / Year:** 6

D **Average Weight of Litter Produced (lbs.)/ Bird / Grow-Out *(see Table at right or use your farm average if known)*** 2.4

Type of Bird	Market/ Mature Weight (lbs)	Avg. Weight of Litter Produced (lbs)/ Bird / Grow-Out
Broilers	small (3.8 - 5 .8)	2.1
	large (5.9 - 7+)	2.4
Layer	8 - 12	8
Pullet	5.5	3

*Take **Bolded** Letters in **Key** Column Above and Below to Assist in Calculating Values Below*

Number of Birds per Grow-Out = A x B = 109,990 110,199 better number

Number of Birds Example: If A = 22,000 and B= 2 and C= 5.5 then:
22,000 X 2 = 44,000 number of birds

KEY

E **Number of Birds per Year** = A x B x C = 659,990 660,797

Number of Birds per Year Example: If A = 22,000 and B= 2 and C = 5.5 then:
22,000 x 2 x 5.5 =242,000 number of birds per year

Total Tons of Litter Produced per Year on the Farm = E x D / 2,000 = 790

Tons of Litter Produced Example: If E = 242,000 and D = 2.1 lbs. then:
242,000 x 2.1 lbs = 508,200 lbs. / 2,000 = 254 Tons

Tons of Litter Exported from Farm / Year 790 ✓

RECEIVED
APR 12 2011

Nu ient Management Plan - Po ry

For Use by Farms

Exporting 100% of Litter Generated

3. Litter Handling and Storage

Litter Contents from Manure Analysis

Laboratory Name	House	Date of Analysis	Total N	P_2O_5[a]	K_2O[b]	Units
Univ of Arkansas	Front/Back	1/13/2011	81/95.8	20.6/21.3	49.2/48.5	lbs./Ton
Univ of Arkansas	Front/Back	7/2/2010	60/73.7	27.5/28.9	70.5/71.0	lbs./Ton
Univ of Arkansas	Front/Back	4/24/2009	64.4/72.8	25.3/25.5	50.2/51.5	lbs./Ton

I will get an annual manure analysis and provide the results to all parties which are given or purchase litter from my farm or operation.

4/10/2011

Signature / Date Signed

Mortality Management

Dead birds will be disposed of according to State and local laws in a way that does not adversely affect groundwater or create public health concern. All mortalities will be disposed of using:

Composting	Incineration	Other:
please circle one		

initials

Closure Plan

In the event that poultry production at this location ceases, the following will be done within 360 days:

- Any litter/ compost currently in storage at the time of closure will be removed and spread elsewhere according to my current NMP.
- All litter in houses will be removed and spread elsewhere according to my current NMP.
- The most current manure analysis performed by an accredited laboratory will be provided to anyone removing litter on my farm.
- Any dead birds in the houses at the time of closure will be disposed of according to my NMP.

4/10/2011

Signature that I have read and agree to this Closure Plan / Date signed

RECEIVED
APR 19 2011
TN Division Of Water Pollution Control

Notes:

N = Nitrogen P_2O_5 = Phosphorus Oxide K_2O = Potassium Oxide

[a]If Phosphorus is expressed in analyses as Phosphorus (P), simply multiple P lbs. X 2.3 to convert to P_2O_5.

[b]If Potassium is expressed in analyses as Potassium (K), simply multiple K lbs. X 1.2 to convert to K_2O.

RECEIVED
APR 12 2011

N ient Management Plan - Po ry

For Use by Farms

Exporting 100% of Litter Generated

4. Checklist

Use this sheet to help ensure that you have included all required items in order for your CAFO application and Nutrient Management Plan to be approved.

Forms

- ✓ • Signed revised Notice of Intent Form
- ✓ • Signed Addendum to Nutrient Management Plan

Maps

- ✓ • Map of Farm/ Operation Showing the Location of Barns/ Houses, Compost Bins, Litter Storage Bins, Nearby Roads, Streams, Wetlands, etc.
- ✓ • Topographical map of the Farm/ Operation showing property lines and location of poultry houses.

Calculations and Volumes

- ✓ • Number of Birds per House
- ✓ • Total Number of Birds per Year
- ✓ • Number of Houses
- ✓ • Number of Grow-Outs Each Year
- ✓ • Average Weight of Birds
- • Tons of Litter Produced Per Year

RECEIVED
APR 19 2011
TN Division Of Water Pollution Control

Manure Analysis / Mortality Disposal

- ✓ • Annual Manure Analysis Performed by an Accredited Laboratory
- ✓ • Statement Regarding Dead Animal Disposal / Mortality Management*
  **If rendering is method listed, make sure to include the name and address of the renderer in the notes area at the bottom of this sheet.*

Notes: Attachment A was used because of the 3 different size Chicken houses @ Chick Inn

RECEIVED
APR 2/14

Attachment A

A Fowl Place has two 50ft x 500ft broiler houses. Each house has 31,300 chicks placed giving a total of 62,600 chicks per 49 day grow out period. If all goes as planned, we hope to have 6 grow outs per year. A total of 375,600 chickens weighing approximately 6.4 pounds each per year.

Chick Inn has three broiler house that are of different sizes.

#1 house is 38ft x 330ft and has 13,566 per flock on average. With 6 grow outs per year the total chicken for this house is 81,396 per year.

#2 house is 42ft x 400ft and has 19,567 chicks per flock on average. With 6 grow outs per year this house will get 117,402 per year.

3 house is 42ft x 300ft and has 14.566 chicks per flock on average. With 6 grow outs per year this house will get 87,396 chickens per year.

If all works well we can expect to have 286,194 chickens weighing approximately 6.4 pounds each for the year.

30 March 2011

Marvin Betts

Marvin Betts

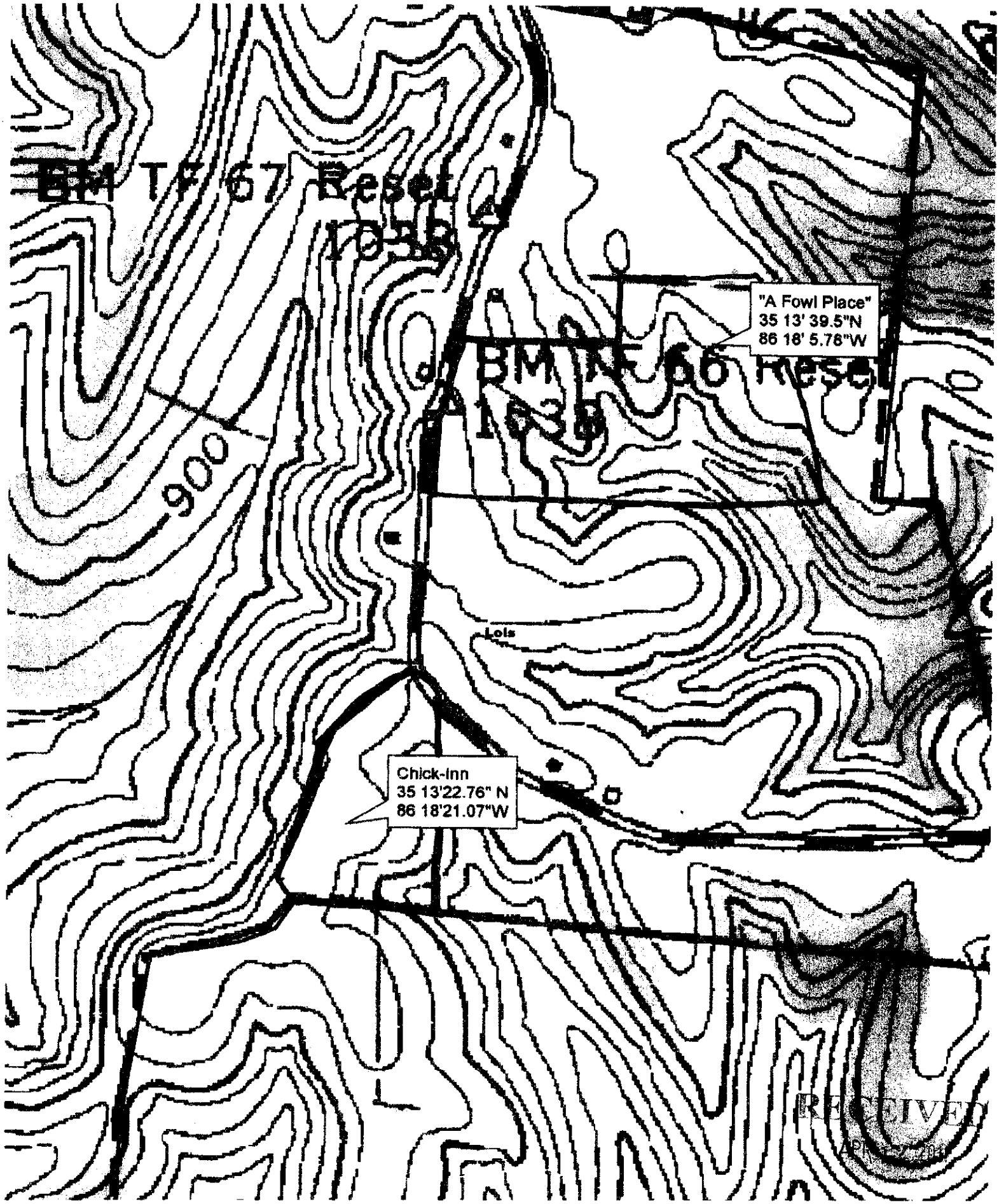
Legend

790 395 0 790 Feet

ortho_1-1_1n_s_tn127_2010_1.sid

RGB

- **Red:** Band_1
- **Green:** Band_2
- **Blue:** Band_3


BM TF 67 Reset
1035
"A Fowl Place"
35 13' 39.5"N
86 18' 5.76"W
BM TF 66 Reset
1038
900
Lois
Chick-Inn
35 13'22.76" N
86 18'21.07"W

TENNESSEE DEPARTMENT OF AGRICULTURE
Water Resources Program

April 14, 2011

Ms. Erin O'Brien
TDEC
L&C Annex, 6th Floor
Nashville, Tennessee 37243

Dear Ms. O'Brien:

I am writing to inform you that I have reviewed the application and Nutrient Management Plan (NMP) for CAFO permit for Mr. Marvin Betts in Winchester, Tennessee (previous NPDES Permit NO. TNA000144 for "Chick Inn"). Due to integrator rules regarding poultry house upgrades, Mr. Betts will be unable to keep "Chick Inn" operating throughout the entire permitting cycle. He is requesting that "A Fowl Place" be used as the primary Farm and that both farms, due to situation and their close proximity, be placed under the same permit. Once "Chick Inn" ceases operation, Mr. Betts will begin implementing his Closure Plan and notify the Tennessee Department of Environment and Conservation. Mr. Betts will also follow the guidelines set forth in his latest permit under Section 3.1 NMP Changes and Section 6.6 Planned Changes (submit a new revised Notice of Intent form and NMP).

This letter is to confirm that the TDA has reviewed and approved the NMP. I have enclosed a copy of the Nutrient Management Plan Requirements form, the NMP, signed Addendum to Nutrient Management Plan, signed Closure Plan, and stamped Approval Stamp form for your review and final approval.

Sincerely,

Angela L. Warden
CAFO Specialist

: //enclosures

Ellington Agricultural Center
440 Hogan Road
Nashville, TN 37220
Telephone: 615-837-5492 Fax: 615-837-5025

TENNESSEE DEPARTMENT OF AGRICULTURE

Water Resources Program

The following individual has submitted all required elements of an NMP/CNMP as required to obtain a CAFO permit. Their Nutrient Management Plan (or CNMP) has been reviewed and approved by this office.

Name of Owner/Operator: Marvin D. Betts

Operation Name: A Fowl Place / Chick Inn

Address of Operation: 6859 Tanyard Hill Rd. Winchester, TN 37398 - A Fowl Place
7012 Tanyard Hill Rd. Winchester, TN 37398 - CHICK INN

Phone Number: (931) 967-8432
(931) 636-7026

County: Moore / Franklin

Date application was initiated:

RECEIVED
MAR 14 2011

Date approval forwarded to TDEC:

APR 14 2011

NMP/CNMP Approval Date:

THE APPROVAL SHALL NOT BE CONSTRUED AS CREATING A PRESUMPTION OF CORRECT

APR 14 2011

OPERATION OR AS WARRANTING THAT THE APPROVED FACILITIES WILL REACH THE DESIGNED GOALS

Date approval received by TDEC

RECEIVED
APR 19 2011
TN Division Of Water Pollution Control

TDA Reviewer's Name: Angela Warden

TDA Reviewer's Signature: A. Warden 4/14/11
Date

Betts Winchester, TN
Place/
Inn

Nutrient Management Plan Requirements Moore

The following 9 items need to be submitted at the time the permit is applied for. Additional record-keeping items as outlined in the CAFO rules are also considered part of the nutrient management plan and must be kept on-site. More information on each item can be found in the CAFO rule (1200-4-5-.14).

☑ 1. **Two maps: (1.)** A map of your farm showing location of any animal barns/houses, compost bins, litter storage bins, manure lagoons/holding ponds, nearby roads, fields to which litter/manure will be applied, and non-application buffer areas around any bodies of water (streams, creeks, rivers, ponds, wells, sinkholes, springs, wetlands, etc.). A hand-drawn map is acceptable and even preferred. **(2.)** A topographic map of the farm (1:24000 scale, showing 1-mile radius from farm) showing property lines.

☒ 2. **Nutrient budget** – this is basically a balance sheet of all manure produced on the farm and all manure spread on the farm or removed from the farm. Application rates for all fields should be based on crop needs, realistic crop yield expectations, and actual manure analyses of nutrient content.

☒ 3. **Soil test results** for phosphorus and potassium for each application field. These must be taken at a minimum of every five years.

☑ 4. Results of **manure analysis** from within the past year. Annual manure testing is a requirement for all CAFOs. These results must be included with initial permit application if the farm is in operation. If the farm that is applying for the permit is new and not yet operating, then manure testing results need to be obtained once operation begins. At that point, the manure test results and revised application rates need to be submitted to TDA. Manure test results in subsequent years need to be kept as part of your record-keeping activities.

☒ 5. Results of the **Phosphorus Index** applied to each field that has a soil test P value of "High" or "Very High". In those situations, this tool will determine whether your application rates will be based on nitrogen or phosphorus.

☑ 6. Statement regarding method of **dead animal disposal**.

☑ 7. **Closure Plan** to be implemented in the event animal production ceases on the site.

These last two items are only required for medium-size CAFOs that manage **liquid manure**.

☒ 8. Documentation of **design of liquid waste handling system**. This should include, but is not limited to: volume for solids accumulation, design treatment volume, total design volume, the approximate number of days of storage capacity, pumping and routing of wastes, and any solid separation process. Ideally, this documentation would consist of the pertinent engineering drawings with accompanying descriptive narrative.

☒ 9. The construction, modification, repair, or installation of any portion of a CAFO liquid waste handling system (such as earthen holding pond, treatment lagoon, pit, sump or other earthen storage/containment structure) after April 13, 2006 must be preceded by a thorough **subsurface investigation**. This investigation will include a detailed soils investigation with special attention to the water table depth and seepage potential.

In addition to the items above, the following form(s) must accompany your application:

☑ ***Notice of Intent* form** must be submitted with all applications from Class II (Medium) CAFOs

OR

☒ **EPA Forms 1 and 2B** must be submitted with all applications from Class I (Large) CAFOs.

☑ **Addendum to Nutrient Management Plan**.